IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 32 OF 2006

Shantinath Bhimrao Aland. ...Applicant
V/s.
The State of Maharashtra. ...Respondent

Mr.Ujwal R. Agandsurve for Applicant.
Ms.M.M. Deshmukh, APP for State.

CORAM : V.M. KANADE, J.

DATED : JANUARY 24, 2006

P.C. :-

. Heard learned Counsel for the applicant and learned APP for the State.

. The applicant was arrested in connection with an offence which was registered vide C.R.No.211/2005 with Fauzdar Chawadi Police Station for the offence punishable under Section 302 of the IPC. It is alleged that the applicant owned a Tata Sumo which was hired by the accused and while the applicant was driving the vehicle, the other accused assaulted the deceased, as a result of which, he died and the dead body was disposed of by the other accused.

2. It is an admitted position that the applicant was the owner of Tata Sumo which was hired by other accused. Though one of the eye witnesses has stated that the driver while he was driving Tata Sumo vehicle also assaulted the deceased who was sitting on the back side. It is difficult to accept the said version which is given by Shubhangi who was sitting on the front seat. Thus, a case is made out for grant of bail.

3. The applicant be released on bail in the sum of Rs.5000/- with one or two sureties in the like amount in aforesaid case. The applicant to attend the Fauzdar Chawadi Police Station once in a month.

. The application is allowed in the above terms.

(V.M. KANADE, J.)